

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION

FILED  
STATESVILLE, N.C.

MAR 6 2007

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R.J. Reynolds Tobacco Company, )  
vs. )  
Plaintiff, )  
Market Basket Food Stores, Inc., *et al.*, )  
Defendants. )  
\_\_\_\_\_  
)

U.S. DISTRICT COURT  
W. DIST. OF NC

5:05CV253

Civil Action No. 05CV253

Hon. Richard L. Voorhees

**AGREED ORDER OF DISMISSAL WITH PREJUDICE OF  
DEFENDANTS WHTO AND MICHAEL PATRICK**

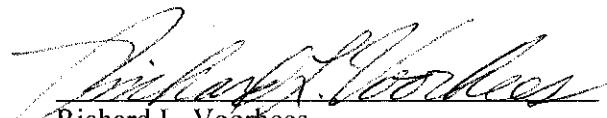
The Court considered the Joint Motion to Dismiss of Plaintiff R.J. Reynolds Tobacco Company (hereinafter "RJRT") and Defendants Map of Virginia, Inc. d.b.a. Wholesale House Tobacco Outlet ("WHTO") and Michael Patrick brought under Federal Rule of Civil Procedure 41(a)(2), and acknowledges that all matters among and between those parties which were or could have been asserted in the above-referenced lawsuit have been resolved by respective agreements between them.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that all causes of action or claims asserted by RJRT against WHTO and Patrick in the above-referenced lawsuit, or which could have been asserted by RJRT against WHTO and Patrick, or vice versa, are dismissed with prejudice.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that this order does not dismiss RJRT's claims against the remaining Defendants in this action, all such claims being expressly reserved by RJRT.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that, as between RJRT,  
WHTO and Patrick, each party shall be responsible for their respective legal fees and court costs.

This 15<sup>th</sup> day of March, 2007

  
Richard L. Voorhees  
United States District Judge